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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

AHMED HIGAZI, on behalf of himself and a
class of those similarly situated,
Plaintiff,
vs.
CADENCE DESIGN SYSTEMS, INC.,
Defendant.

No. C-07-2813-JW

**DECLARATION OF TRAE SMITH
DESCRIBING SETTLEMENT
ADMINISTRATION**

1 I, TRAE SMITH, declare:

2 1. I am a Project Manager for Settlement Services, Inc. (the “Settlement
3 Administrator”) located at 2032-D Thomasville Road, Tallahassee, Florida. I am over 21 years
4 of age and I am not a party to this action. I have personal knowledge of the facts set forth herein
5 and, if called as a witness, could and would testify competently thereto.

6 **Settlement Claims Administration Procedures**

7 2. The Settlement Administrator was appointed by the Court in the above-captioned
8 lawsuit; among other things, to mail (1) the Notice of Proposed and Final Settlement Approval
9 Hearing (the “Class Notice”), (2) the Claim Form, and (3) the Election Not to Participate in
10 Settlement (the “Opt-Out Form”). True and correct copies of the Class Notice, Claim Form, and
11 Opt-Out Form are attached hereto as Exhibit A, B, and C, respectively.

12 3. On March 27, 2008, the Settlement Administrator received from Cadence Design
13 Systems, Inc. (“Cadence”) a computerized list of names, Social Security numbers, last-known
14 addresses, dates and state(s) of employment, and the number of Compensable Work Weeks in a
15 Covered Position during the Covered Period.

16 4. On approximately April 4, 2008, the Settlement Administrator updated the
17 addresses of the Class Members by using the National Change of Address system, which updates
18 addresses for all people who have moved during the previous four years and who have filed a
19 change of address form with the U.S. Postal Service.

20 5. On April 4, 2008, I caused the Claim Form to be printed with information
21 particularized for each Class Member, including the names and addresses of each Class Member,
22 state(s) and dates of employment, as well as each Class Member’s total estimated settlement
23 share. I then caused the Class Notice, Claim Form, and Opt Out Form to be inserted in an
24 envelope along with a postage prepaid return envelope for each Class Member (the “Notice
25 Packet”).

1 **The Notice Mailing**

2 6. On April 4, 2008 I caused 207 Notice Packets to be mailed to all members of the
3 Class by First Class mail from the U.S. Post Office in Tallahassee, Florida.

4 **Reminder Postcards**

5 7. As of June 9, 2008, two (2) Notice Packets were returned to the Settlement
6 Administrator by the U.S. Postal Service as undeliverable. As of June 9, 2008, traces had been
7 performed through Accurant on the returned Notice Packets. Two (2) updated addresses were
8 obtained and Reminder Postcards were promptly mailed to those Class Members via First Class
9 U.S. Mail.

10 8. On April 29 2008, I caused Reminder Postcards to be mailed to the Class
11 Members who had not submitted a Claim Form. A Reminder Postcard was mailed to three
12 addresses obtained via trace for each Class Member. A true and correct copy of the template
13 used for the Reminder Postcard is attached hereto as Exhibit D.

14 **Reminder Telephone Calls**

15 9. On approximately May 29, 2008, a trace had been performed through Accurant to
16 obtain phone numbers for the Class Members from whom we had yet to receive a Claim Form
17 from ("Non-Responders"). On May 29, 2008, I caused phone calls to be made to the forty-seven
18 (47) Non-Responders to encourage them to submit Claim Forms. On June 3, 2008, I caused
19 follow up phone calls to be made to Non-Responders for whom I was unable to reach on May
20 29, 2008. Out of the forty-seven (47) Non-Responders that were called; twenty-two (22)
21 submitted Claim Forms.

22 **Class Member Response To The Notice**

23 10. The deadline for postmarking completed Claim Forms was June 4, 2008. As of
24 the date of this declaration, the Settlement Administrator has received 182 timely, valid Claim
25 Forms (this constitutes an 88% participation rate). True and correct copies of the 182 Claim

1 Forms are attached hereto as Exhibit E. These forms have been redacted to block out each Class
2 Member's private information – namely, his or her address, telephone number, e-mail address,
3 last four digits of Social Security number, employment dates, and estimated Settlement Share.

4 The Settlement Administrator has received no invalid or non-timely Claim Forms.

5 11. The deadline for postmarking opt-outs was May 20, 2008. As of the date of this
6 declaration, the Settlement Administrator has received four (4) opt-out requests from Class
7 Members on the pre-printed opt-out forms submitted with the Notice packets. Subsequently, the
8 Settlement Administrator received four (4) rescission requests, one from each of the four (4)
9 Class Members who had originally sought to opt out. True and correct copies of the redacted
10 opt-outs and rescissions are attached hereto as Exhibit F and G, respectively. Each of those four
11 (4) Class Members has submitted a timely, valid Claim Form. Therefore, there are zero (0) Class
12 Members who seek to opt out of the settlement.

13 12. The deadline for postmarking Objections was May 20, 2008. As of the date of
14 this declaration, the Settlement Administrator has received no Objections to the Settlement.

15 13. As of the date of this declaration, the Settlement Administrator received thirteen
16 (13) timely Challenges in regards to work location or number of weeks worked. Eight (8)
17 Challenges were denied because the Class Members sought to extend their dates of employment
18 beyond the Class Period. On June 12, 2008, Challenge Denial Letters were mailed to those eight
19 (8) Class Members via First Class U.S. Mail. Two (2) Challenges were deficient due to failure to
20 include documentary evidence. On June 12, 2008, Challenge Deficiency Letters were mailed to
21 those two (2) Class Members via Federal Express Overnight Delivery. The Challenge
22 Deficiency Letter informed the Class Members that they must submit documentary evidence by
23 June 16, 2008, in order for their challenge to be considered. Three (3) Challenges were valid.
24 On June 11, 2008, the Settlement Administrator requested Cadence to provide information
25 related to the challenged information. Upon receipt of the requested information, the Settlement

1 Administrator will make a final determination, which will be communicated to the Class
2 Members via First Class U.S. Mail.

3 **Settlement Administrator Reporting**

4 14. During the Notice period, the Settlement Administrator provided several weekly
5 reports updating Cadence's counsel and Class Counsel with information regarding Class
6 Member response to the Notice. A true and correct copy of the most recent such report, dated
7 June 13, 2008, is attached hereto as Exhibit H.

8 * * *

9 I declare under penalty of perjury under the laws of the State of Florida and of the United
10 States that the foregoing is true and correct, and that this Declaration was executed this 19th day
11 of June 2008, in Tallahassee, Florida.

12 

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